

REMARKS/ARGUMENTS

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action and amended as necessary to more clearly and particularly describe the subject matter which applicant regards as the invention.

Claim 1 has been canceled. Claim 2 has been amended and is now in independent form. Claims 3 and 4 have been amended to depend from claim 2.

Claims 1-4 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Abolfathi (U.S. patent application publication number 2003/0207227) in view of Tyrrell, III (U.S. patent number 7,062,527) in further view of Gehr et al. (U.S. patent number 5,828,847). As discussed above, claim 1 has been canceled. Claim 2 recites in part, "the server manager performs a control function wherein the volume data from the volume data storage unit is transmitted to the destination image data server computer and additional information including scale-up factor data, angle data, and position data of the image requests is copied from the operative image data server computer to the destination image data server computer." The Examiner asserts that Gehr's teaching of a dynamic server switching system that avoids bottlenecks and maintains a rapid exchange of communication between client and server suggests the limitations of claim 2. However, Gehr's mere teaching of avoiding bottlenecks and maintaining a rapid

Appl. No.: 10/812,770
Amdt. Dated: November 13, 2006
Reply to Office action of: July 14, 2006

exchange of communication fails to teach or suggest the claimed *additional information including scale-up factor data, angle data, and position data* of the image requests, which is copied from an operative image data server computer to a destination image data server computer. Nowhere does Gehr teach or suggest copying *additional information including scale-up factor data, angle data, and position data* of image requests from one server to another, as required by claim 2.

In Gehr's system, equivalent servers provide equal data to client processes. In the claimed invention, volume data from the volume data storage unit is transmitted to the destination image data server computer and *additional information including scale-up factor data, angle data, and position data* of the image requests is copied from the operative image data server computer to the *destination* image data server computer. The claimed data transmission is different from and not suggested by Gehr.

The claimed additional information includes scale-up factor data, angle data, and position data. Such information is essential for performing volume rendering. Additional information may also include opacity values, mask information and shading information for use in volume rendering. The claimed additional information, which is essential for performing volume rendering and should not be lacked, does not correspond to any supplementary and non-essential load balancing property of Gehr.

A benefit of the claimed invention is that since additional information (i.e., not the volume data) is transmitted from the operative image data server computer to

Appl. No.: 10/812,770
Amdt. Dated: November 13, 2006
Reply to Office action of: July 14, 2006

the destination image data server computer, the operative image data server computer can continue its rendering processes. The additional information includes information that is essential to the performance of volume rendering, such as scale-up factor data, angle data, and position data. The additional information is small in size when compared to the volume data. Because only additional information including scale-up factor data, angle data and position data is transmitted from the operative image data server computer to the destination image data server computer, the operative image data server computer can continue its rendering process. Neither Gehr, which teaches a specialized data storage library system, nor any other prior art of record recognizes this benefit, which is realized by the present invention as claimed. Moreover, no other benefit or motivation is disclosed anywhere in the prior art of record that would have led one of ordinary skill in the art to modify the teachings of Abolfathi, Tyrrell, III, and Gehr to arrive at the invention of claim 2. For at least the reasons discussed above, claim 2 is allowable over the cited combination of references. Claims 3 and 4 depend from claim 2 and, therefore, are also allowable.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

Appl. No.: 10/812,770
Amdt. Dated: November 13, 2006
Reply to Office action of: July 14, 2006

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 36609.

Respectfully submitted,
PEARNE & GORDON LLP

By: Brad C. Spencer

Brad C. Spencer, Reg. No. 57076

1801 East 9th Street
Suite 1200
Cleveland, Ohio 44114-3108
(216) 579-1700

Date: 11/13/06